AMENDMENTS TO THE CLAIMS:

This listing of the claims will replace all prior versions, and listings, of the claims in this application:

Listing of Claims:

1. (Currently Amended) A method ~~to operate a mobile station with a network,~~ comprising:

in at least one network control mode of operation, determining in a ~~the~~ mobile station if a cell to which the mobile station is currently assigned has a first type of broadcast control channel; and

if the cell does have the first type of broadcast control channel, sending a PACKET MEASUREMENT REPORT message to a ~~the~~ network for reporting on neighbour cells identified in a list received from the first type of broadcast control channel;

if the cell does not have the first type of broadcast control channel, sending a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells identified in a list received from a second type of broadcast control channel, where the type of list is one of implicitly specified by the PACKET MEASUREMENT REPORT message or is explicitly specified by the PACKET MEASUREMENT REPORT message.

2. (Original) A method as in claim 1, where the list is implicitly specified by the PACKET MEASUREMENT REPORT message by casting the message in a format of an earlier version of the PACKET MEASUREMENT REPORT message that by default implies the type of list.

3. (Currently Amended) A method as in claim 2, where the PACKET MEASUREMENT REPORT message is sent in a GPRS Release 1997 format that implies a BA(GPRS) from a broadcast control channel ~~Broadcast Control Channel~~ (BCCH).

4. (Original) A method as in claim 1, where the list is explicitly specified by the PACKET MEASUREMENT REPORT message by a field of the PACKET MEASUREMENT REPORT message.

5. (Currently Amended) A method as in claim 4, where the field is a one bit field for specifying that the PACKET MEASUREMENT REPORT is based on a BA(GPRS) or on a GSM neighbour cell ~~Neighbour Cell~~ list from a Broadcast Control Channel (BCCH).

6. (Original) A method as in claim 5, where the one bit field is added to the PACKET MEASUREMENT REPORT message only if the first type of broadcast control channel is not present in the cell.

7. (Original) A method as in claim 1, where the first type of broadcast control channel is a packet broadcast control channel (PBCCH), and where the one bit field is added to the PACKET MEASUREMENT REPORT message only if the PBCCH is not present in the cell.

8. (Original) A method as in claim 1, comprising a computer program product embodied on a tangible computer-readable medium and having program instructions for causing a computer to execute the method.

9. (Currently Amended) A ~~computer program product embodied on a tangible~~ computer-readable medium embodied with ~~and comprising~~ program instructions ~~for causing a computer of a mobile station (MS) to execute a method of operating with a network,~~ comprising:

computer instructions, responsive to a mobile station ~~the~~ (MS) being in a network control mode of operation where it reports cell measurement results to a ~~the~~ network, for determining if a cell to which the mobile station is currently assigned has a PBCCH; and

computer instructions, responsive to a determination that the cell does have the PBCCH, for sending a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells identified in a GSM Neighbour Cell list received from the PBCCH, and to a determination that the cell does not have the PBCCH, for sending a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells first identified in a BA(GPRS), before the MS has acquired the GSM neighbour cell ~~Neighbour Cell~~ list from a BCCH, and after the MS has acquired the GSM neighbour cell ~~Neighbour Cell~~ list from the BCCH, the neighbor cells identified in the GSM neighbour cell ~~Neighbour Cell~~ list, where the

type of list in use by the MS is implicitly specified by the PACKET MEASUREMENT REPORT message.

10. (Currently Amended) A computer-readable medium ~~computer program product~~ as in claim 9, where the list is implicitly specified by the PACKET MEASUREMENT REPORT message by sending the message in a format compatible with an earlier version of the PACKET MEASUREMENT REPORT message that by default implies the use of the BA(GPRS).

11. (Currently Amended) A computer-readable medium ~~computer program product~~ as in claim 9, where the list is implicitly specified by the PACKET MEASUREMENT REPORT message by the MS's sending the message to not include a Release 99 extension ('additions in Release 99').

12. (Currently Amended) A computer-readable medium ~~computer program product~~ as in claim 11, where the PACKET MEASUREMENT REPORT message is sent in a GPRS Release 1997 format.

13. (Currently Amended) A ~~computer program product embodied on a tangible~~ computer-readable medium ~~and comprising~~ embodied with program instructions ~~for causing a computer of a mobile station (MS) to execute a method of operating with a network,~~ comprising:

computer instructions, responsive to a mobile station ~~the~~ (MS) being in a network control mode of operation where it reports cell measurement results to the network, for determining if a cell to which the mobile station is currently assigned has a PBCCH; and

computer instructions, responsive to a determination that the cell does have the PBCCH, for sending a PACKET MEASUREMENT REPORT message to a ~~the~~ network for reporting on neighbour cells identified in a GSM neighbour cell ~~Neighbour Cell~~ list received from the PBCCH, and to a determination that the cell does not have the PBCCH, for sending a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells identified in list that is specified explicitly in the PACKET MEASUREMENT REPORT message.

14. (Currently Amended) A computer-readable medium ~~computer program product~~ as in claim 13, where the list is explicitly specified by the PACKET MEASUREMENT REPORT message by a field of the PACKET MEASUREMENT REPORT message.

15. (Currently Amended) A computer-readable medium ~~computer program product~~ as in claim 14, where the field is a one bit field for specifying that the PACKET MEASUREMENT REPORT is based on a BA(GPRS) or on a GSM neighbour cell ~~Neighbour Cell~~ list received from a Broadcast Control Channel (BCCH).

16. (Currently Amended) A computer-readable medium ~~computer program product~~ as in claim 15, where the one bit field is added to the PACKET MEASUREMENT REPORT message only if the PBCCH is not present in the cell.

17. (Currently Amended) An apparatus ~~A mobile station (MS) operable with a network in a general packet radio system (GPRS) mode of operation,~~ comprising:

a radio frequency transceiver; and

~~coupled to said radio frequency transceiver,~~ a controller that operates in at least one network control mode of operation to determine if a cell to which the apparatus ~~MS~~ is currently assigned has a PBCCH and, if the cell does have the PBCCH, operates further to send a PACKET MEASUREMENT REPORT message to a ~~the~~ network for reporting on neighbour cells identified in a GSM neighbour cell ~~Neighbour Cell~~ list received from the PBCCH; said controller being responsive to a condition where the cell does not have the PBCCH to determine if the GSM neighbour cell ~~Neighbour Cell~~ list has been received through the transceiver from a BCCH and, if it has, to send a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells identified in the GSM neighbour cell ~~Neighbour Cell~~ list received from the BCCH, while indicating the list that was used either implicitly or explicitly; or if the GSM neighbour cell ~~Neighbour Cell~~ list has not been received, said controller sends a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells identified in a BA(GPRS) received from the BCCH, while indicating the list that was used either implicitly or explicitly.

18. (Currently Amended) An apparatus ~~A MS~~ as in claim 17, where the network control mode is NC2.

19. (Currently Amended) An apparatus ~~A MS~~ as in claim 17, where the network control mode is NC1.

20. (Currently Amended) An apparatus ~~A MS~~ as in claim 17, where the list is explicitly signaled by the state of a NC_MEAS_LIST_TYPE bit in the PACKET MEASUREMENT REPORT message.

21. (Currently Amended) A method ~~to operate a mobile station with a network,~~ comprising:

in at least one network control mode of operation, determining in a ~~the~~ mobile station if a cell to which the mobile station is currently assigned has a first type of broadcast control channel; and

if the cell does have the first type of broadcast control channel, sending a PACKET MEASUREMENT REPORT message to a ~~the~~ network for reporting on neighbour cells identified in a list received from the first type of broadcast control channel;

if the cell does not have the first type of broadcast control channel, sending a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells identified in a list received from a second type of broadcast control channel, where the type of list is implicitly specified by the PACKET MEASUREMENT REPORT message.

22. (Previously Presented) A method as in claim 21, where the list is implicitly specified by the PACKET MEASUREMENT REPORT message by casting the message in a format of an earlier version of the PACKET MEASUREMENT REPORT message that by default implies the type of list.

23. (Previously Presented) A method as in claim 22, where the PACKET MEASUREMENT REPORT message is sent in a GPRS Release 1997 format that implies a BA(GPRS) from a Broadcast Control Channel (BCCH).

24. (Previously Presented) A method as in claim 21, where the first type of broadcast control channel is a packet broadcast control channel (PBCCH), and where the one bit field is added to the PACKET MEASUREMENT REPORT message only if the PBCCH is not present in the cell.

25. (Previously Presented) A method as in claim 21, comprising a computer program product embodied on a tangible computer-readable medium and having program instructions for causing a computer to execute the method.

26. (Currently Amended) A method ~~to operate a mobile station (MS) having a radio frequency transceiver with a network in a general packet radio system (GPRS) mode of operation,~~ comprising:

determining if a cell to which a mobile station (MS) ~~the MS~~ is currently assigned has a packet broadcast control channel ~~Packet Broadcast Control Channel~~ (PBCCH) and, if the cell does have the PBCCH, sending a PACKET MEASUREMENT REPORT message to a ~~the~~ network for reporting on neighbour cells identified in a GSM neighbour cell ~~Neighbour Cell~~ list received from the PBCCH;

~~l~~while if the cell does not have the PBCCH, determining if the GSM neighbour cell ~~Neighbour Cell~~ list has been received through the transceiver from a broadcast control channel ~~Broadcast Control Channel~~ (BCCH) and, if it has, sending a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells identified in the GSM neighbour cell ~~Neighbour Cell~~ list received from the BCCH; while if the GSM neighbour cell ~~Neighbour Cell~~ list has not yet been completely received through the transceiver from the broadcast control channel ~~Broadcast Control Channel~~ (BCCH), sending a PACKET MEASUREMENT REPORT message to the network for reporting on neighbour cells identified in a BCCH allocation ~~Allocation~~ (BA) general packet radio system (GPRS) received from the BCCH.

27. (Currently Amended) A ~~computer program embodied on a tangible~~ computer-readable medium embodied with ~~and comprising~~ program instructions ~~for causing a computer of a mobile station (MS) to execute a method in a general packet radio system (GPRS) mode,~~ comprising ~~operations of~~:

determining if a cell to which a mobile station (MS) ~~the MS~~ is currently assigned has a packet broadcast control channel ~~Packet Broadcast Control Channel~~ (PBCCH) and, if the cell does have the PBCCH, generating a PACKET MEASUREMENT REPORT message using a GSM neighbour cell ~~Neighbour Cell~~ list received from the PBCCH;

if the cell does not have the PBCCH, determining if the GSM neighbour cell ~~Neighbour Cell~~ list has been acquired from a broadcast control channel ~~Broadcast Control Channel~~ (BCCH) and, if it has, using the acquired GSM neighbour cell ~~Neighbour Cell~~ list for generating the PACKET MEASUREMENT REPORT message; while if the GSM neighbour cell ~~Neighbour Cell~~ list has not been acquired from the broadcast control channel ~~Broadcast Control Channel~~ (BCCH), using a BCCH allocation ~~Allocation~~ (BA) general packet radio system (GPRS) received from the BCCH for generating the PACKET MEASUREMENT REPORT message.

28. (New) An apparatus as in claim 17, wherein the apparatus is a mobile station (MS).

29. (New) A method comprising:

determining if a first type of broadcast control channel is present;

if it is determined that the first type of broadcast control channel is present, then sending a measurement report message based on a neighbor list associated with a first type of service;

if it is determined that the first type of broadcast control channel is not present, then determining if the neighbor list associated with the first type of service has been received;

if it determined that the neighbor list associated with the first type of service has been received, then sending the measurement report message based on the neighbor list associated with the first type of service; and

otherwise, sending the measurement report message based on a neighbor list associated with a second type of service.

30. (New) A method as in claim 29, wherein a neighbor list conforming to an earlier release of a standard is recognized by a current release of the standard.

31. (New) A method as in claim 29, wherein a type of the neighbor list is one of implicitly specified by the measurement report message or is explicitly specified by the measurement report message.